



WENTZEL WAGENER INC.

Attorneys

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PAIA MANUAL

Prepared in accordance with Section 51 of the Promotion of Access to Information Act for **WENTZEL WAGENER INC.** (*“the Firm”*)

1. INTRODUCTION AND APPLICABILITY OF THIS MANUAL

The Promotion of Access to Information Act, 2 of 2000 (*“PAIA”* or *“the Act”*) gives effect to the constitutional right of access to information held by public or private bodies that is required for the exercise or protection of any rights.

PAIA sets out procedural requirements a request for access to a record must meet, and the grounds on which a request may lawfully be refused.

This Manual is prepared in terms of Section 51 of PAIA and is intended to assist a requester to understand what records the Firm holds, how to request access to them, and what fees and time periods apply. It is available for inspection, free of charge, at the Firm’s offices and on the Firm’s website (see contact details below), and will be provided to the Information Regulator and made available to any person on request.

The Firm is a private legal practice conducted by a sole practitioner and is a “private body” as defined in Section 1 of the Act.

The Information Officer will review and, where necessary, update the Manual from time to time, and will make the updated version available in the manner described above.

2. THE FIRM’S CONTACT DETAILS AND INFORMATION OFFICER

Head of the Firm / Information Officer:

Udo Wentzel Wagener, the sole practitioner of the Firm.

Physical and Postal Address:

3rd Floor, Waalburg Building, 28 Wale Street, Cape Town, Western Cape, 8000.

Phone Number:

063 253 5935

Email Address:

popi@wwlaw.co.za

Website:

www.wwlaw.co.za

Business Registration:

2026/566865/21

Deputy Information Officer:

Not applicable as the Firm has not designated a Deputy Information Officer. All request and enquiries should be directed to the Information Officer above.

The Firm's Information Officer is registered with the Information Regulator in terms of Section 55(1) of Personal Information Act, 4 of 2013 ("POPIA"), read with Section 17 of PAIA, as amended.

3. REGULATOR'S GUIDE ON HOW TO USE PAIA

The Information Regulator has published a Guide on how to use PAIA and POPIA, which explains the objects of the Act, how to format a request, and the remedies available to a dissatisfied requester. The Guide may be obtained from the Information Regulator's website (www.inforegulator.org.za), on request from the Firm's Information Officer, or for inspection, free of charge, at the Firm's office during normal business hours.

4. RECORDS HELD BY THE FIRM

Subject to the grounds for refusal in clause 5 below, the Firm holds records falling within the following categories. Access to any particular record remains subject to the requester satisfying the requirements of PAIA, including that the record is required for the exercise or protection of a right.

i) CLIENT RECORDS

"Client" refers to any natural or juristic person to whom the Firm renders legal services. Client records include instructions and mandates, correspondence, pleadings and other court documents, opinions, contracts and other documents prepared or received in the course of a mandate, trust account and billing records, and identity and verification (FICA) records.

ii) SUPPLIER AND SERVICE PROVIDER RECORDS

Records relating to counsel, correspondent attorneys, expert witnesses, consultants, IT and other service providers engaged by the Firm, including engagement records, invoices and correspondence.

iii) PERSONNEL RECORDS

Records relating to any employee, contractor, or candidate attorney of the Firm, including employment contracts, recruitment records, payroll and tax records, performance and disciplinary records, and training records.

iv) THE FIRM'S OWN RECORDS

Operational and administrative records of the Firm is available in terms of various legislation to the persons or entities specified in such legislation (Subject to certain conditions), including financial and accounting records, trust account records, practice management and IT system records, marketing records, internal policies (including this Manual and the Firm's Privacy Policy), and statutory and regulatory records (including records required by the Legal Practice act, 28 of 2014, and the Legal Practice Council).

v) RECORDS HELD BY OR RELATING TO THIRD PARTIES

Records held by another party on the Firm's behalf, and records held by the Firm concerning its clients, suppliers, or other third parties, including correspondence, financial records, and contractual documentation.

5. GROUNDS FOR REFUSAL OF ACCESS

The Firm may refuse a request for access to a record on any of the grounds set out in Chapter 4, Part 3 of PAIA. The grounds most likely to be relevant to the Firm's records include, in summary but not limited to:

- i) mandatory protection of the privacy of a third party who is a natural person (Section 63);
- ii) mandatory protection of records that are subject to legal professional privilege (Section 67);
- iii) protection of the Firm's own commercially sensitive information, trade secrets, and financial or commercial interests (Section 68);
- iv) protection of the confidentiality that an attorney owes to a client, which the Firm regards as fundamental to the attorney-client relationship (see clause 9 below); and
- v) refusal of requests that are manifestly frivolous or vexatious, or that would involve a substantial and unreasonable diversion of the Firm's resources (Section 45).

Each request will be considered on its own merits, and access will be granted to any part of a record that can reasonably be severed from the parts that fall under a ground for refusal.

6. HOW TO REQUEST ACCESS

A request for access must be made using the prescribed form (Form 2, in terms of the PAIA regulations), which is available from the Information Regulator's website or on request from the Information Officer.

The form must be completed with sufficient particularity to enable the Firm to identify the record requested, the identity of the requester, the form of access required, and a postal address, fax number, or email address for the requester.

The requester must state that the record is required for the exercise or protection of a right, and provide reasonable particulars of the nature of that right.

If a request is made on behalf of another person, the requester must submit proof, to the reasonable satisfaction of the Firm, of their authority to act on that person's behalf.

A person who is unable, because of illiteracy or disability, to complete the prescribed form may make the request orally, and the Information Officer will reduce it to writing.

The completed form, together with the prescribed request fee (if applicable), must be submitted to the Information Officer at the address, or email address given in clause 2 above.

The Firm will decide on the request within 30 (thirty) days of receipt of a complete request, unless the period is extended in terms of Section 57 of PAIA (for example, where the request is for a large number of records or requires a search that cannot reasonably be completed in time), in which case the requester will be notified in writing of the extension and the reason for it, which extension will not exceed a further 30 (thirty) days.

The Firm will notify the requester in writing of its decision, and, if the request is refused, of the reasons for the refusal and the requester's right of appeal. Access will only be given if the record is required for the exercise or protection of a right, the requester has complied with the procedural requirements above, and access is not refused on a ground referred to in clause 5.

7. REMEDIES AVAILABLE IF A REQUEST IS REFUSED

INTERNAL REMEDIES

The Firm does not have an internal appeal procedure, as an internal appeal is not applicable to private bodies under the Act.

EXTERNAL REMEDIES

A requester, or a third party who has been notified of a request, who is dissatisfied with the Firm's decision may, within 180 (one hundred and eighty) days:

- lodge a complaint with the Information Regulator (contact details below); or
- apply to a court of competent jurisdiction (including the High Court) for appropriate relief.

Information Regulator contact details:

Street Address: Woodmead North Office Park, 54Maxwell Dr, Woodmead, Johannesburg, 2191

Postal Address: PO BOX 31533 | JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Telephone: 010 023 5200 | Toll Free: 0800 017 160

Email: enquiries@inforegulator.org.za

Website: www.inforegulator.org.za

8. FEES

PAIA provides for two categories of fees: i) a request fee (payable, other than by a personal requester seeking their own personal information, before the request is processed), and ii) an access fee (payable before access is given, to cover reproduction, search, and preparation costs).

The current request fee for a private body, as per the Information Regulator is R140.00. Reproduction, search and preparation, and other access fees are charged at the rates prescribed from time to time by the Minister of Justice and Correctional Services in Annexure B to the PAIA Regulations, as published by the Information Regulator at www.inforegulator.org.za. A full breakdown of the current rates will be provided to a requester together with the Firm's notice of its decision, or on request beforehand.

Where a deposit is payable because a search is expected to exceed the prescribed threshold, the Information Officer will notify the requester in writing of the amount, and the 30-day period for deciding the request is suspended until the deposit is paid. The Firm will withhold the requested record until all prescribed fees and any deposit have been paid in full. A deposit will be refunded if the request is subsequently refused.

9. CONFIDENTIALITY, LEGAL PROFESSIONAL PRIVILEGE, AND PERSONAL INFORMATION

Wentzel Wagener Inc owes our clients a professional and ethical duty of confidentiality, regulated by the Legal Practice Act and the Legal Practice Council's Code of Conduct. This duty prohibits the disclosure of information relating to a client's affairs without the client's informed consent, except where disclosure is required by law or necessary to prevent harm to others, and it survives the termination of the mandate and the death of the client.

Records that are subject to legal professional privilege are protected from disclosure under Section 67 of PAIA, and the Firm will assert this protection where applicable.

The Firm processes personal information in accordance with POPIA. Further details on how the Firm collects, uses, and safeguards personal information, and on a data subject's rights in respect of that information, is set out in the Firm's separate Privacy Policy/POPIA Manual, available on request from the Information Officer.

Approved by the Information Officer of Wentzel Wagener Inc.

Date: 11 September 2026